

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DIONTAE JOHAN DUNCAN,

Plaintiff,

v.

CALIFORNIA HEALTHCARE  
RECEIVERSHIP CORP., et al.,

Defendants.

No. 1:20-cv-01288-AWI-SKO (PC)

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DENYING  
PLAINTIFF'S SEVENTH MOTION FOR  
TEMPORARY RESTRAINING ORDER**

(Doc. No. 58)

Plaintiff Diontae Johan Duncan is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action. This matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 7, 2022, the assigned magistrate judge issued findings and recommendations, recommending that Plaintiff's seventh motion for temporary restraining order (Doc. No. 56) be denied (Doc. No. 58). The findings and recommendations were served on Plaintiff and provided him 14 days to file objections thereto. (Doc. No. 58 at 4.) Plaintiff filed objections on July 5, 2022.<sup>1</sup> (Doc. 60.)

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<sup>1</sup> Plaintiff indicated his objections were delayed by a recent move from one institution to another. Plaintiff states he did not receive the magistrate judge's findings and recommendations until after the 14-day objection period had lapsed. Thus, despite the untimeliness of Plaintiff's objections, the objections were reviewed and considered by the undersigned.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a  
2 *de novo* review of this case. Having carefully reviewed the file, including Plaintiff's objections,  
3 the Court finds the findings and recommendations to be supported by the record and proper  
4 analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations issued on June 7, 2022 (Doc. No. 58) are  
7 ADOPTED in full; and,  
8 2. Plaintiff's seventh motion for temporary restraining order (Doc. No. 56) is DENIED.

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10 IT IS SO ORDERED.

11 Dated: July 15, 2022

  
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12 SENIOR DISTRICT JUDGE  
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